

SENATE BILL No. 440

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-10.1-2-1.

Synopsis: Student instructional days. Provides that a maximum of two school days when students are dismissed for a full day for parent-teacher conferences and two school days when students are dismissed for a full day for staff professional development activities count as student instructional days for purposes of the required 180 day school year. Voids provisions in the Indiana Administrative Code that allow partial school days that are used for parent-teacher conferences to count as partial student instructional days and that do not allow students to be dismissed for full days for parent-teacher conferences and staff professional development activities.

Effective: July 1, 2002.

Hume, Lawson C, Breau, Blade

January 14, 2002, read first time and referred to Committee on Education.

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Second Regular Session 112th General Assembly (2002)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2001 General Assembly.

SENATE BILL No. 440

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 20-10.1-2-1 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 1. (a) A school year is
3 the period of time beginning after June 30 of each year and ending
4 before July 1 of the following year, except when a different period is
5 specified for a particular purpose.

6 (b) **The following are student instructional days:**

7 (1) **Except as provided in subdivisions (2) and (3),** a student
8 instructional day in:

9 (A) grades 1 through 6 consists of a minimum of five (5) hours
10 of instructional time; ~~A student instructional day in and~~

11 (B) grades 7 through 12 consists of a minimum of six (6) hours
12 of instructional time.

13 For purposes of this ~~section~~, **subdivision**, instructional time is
14 time in which students are participating in an approved course,
15 curriculum, or educationally related activity under the direction
16 of a teacher, including a reasonable amount of passing time
17 between classes. However, instructional time does not include



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lunch or recess.

(2) A maximum of two (2) school days in a school year when the school corporation dismisses students for a full day to conduct parent-teacher conferences count as student instructional days. However, if students are dismissed for a partial school day for parent-teacher conferences, the partial school day may not count as a partial student instructional day.

(3) A maximum of two (2) school days in a school year when the school corporation dismisses students for a full day to conduct staff professional development activities count as student instructional days. However, if students are dismissed for a partial school day for staff professional development activities, the partial school day may not count as a partial student instructional day.

(c) For the 1987-88 school year, each school corporation shall conduct at least one hundred seventy-five (175) student instructional days. For the 1988-89 school year and each school year after that, Each school corporation shall conduct at least one hundred eighty (180) student instructional days in a school year. No later than June 15 of each school year, the superintendent of each school corporation shall certify to the department the number of student instructional days conducted during that school year.

(d) If a school corporation fails to conduct the minimum number of student instructional days during a school year as required under subsection (c), the department shall reduce the August tuition support distribution to that school corporation by an amount determined as follows:

(1) For the 1987-88 school year, the amount determined under STEP THREE of the following formula:

STEP ONE: Divide the amount of the total tuition support allocated to the school corporation for the 1987-88 school year by one hundred seventy-five (175):

STEP TWO: Subtract the number of student instructional days that the school corporation conducted from one hundred seventy-five (175):

STEP THREE: Multiply the amount determined under STEP ONE by the amount determined under STEP TWO:

(2) For the 1988-89 school year and each school year after that, the amount determined under STEP NINE of the following formula:

STEP ONE: Determine the remainder of:

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(A) the amount of the total tuition support allocated to the school corporation for the particular school year; minus
 (B) that part of the total tuition support allocated to the school corporation for that school year with respect to student instructional days one hundred seventy-six (176) through one hundred eighty (180).

STEP TWO: Subtract the number of student instructional days that the school corporation conducted from one hundred eighty (180).

STEP THREE: Determine the lesser of five (5) or the remainder determined under STEP TWO.

STEP FOUR: Divide the amount subtracted under STEP ONE(B) by five (5).

STEP FIVE: Multiply the quotient determined under STEP FOUR by the number determined under STEP THREE.

STEP SIX: Subtract the number determined under STEP THREE from the remainder determined under STEP TWO.

STEP SEVEN: Divide the remainder determined under STEP ONE by one hundred seventy-five (175).

STEP EIGHT: Multiply the quotient determined under STEP SEVEN by the remainder determined under STEP SIX.

STEP NINE: Add the product determined under STEP FIVE to the product determined under STEP EIGHT.

(e) The department may grant a waiver of the penalty imposed under subsection (d) for a particular number of ~~cancelled~~ **canceled** student instructional days if:

- (1) the school corporation applies to the department for a waiver of the penalty imposed under subsection (d) for a specific number of ~~cancelled~~ **canceled** student instructional days; and
- (2) each of the particular number of student instructional days requested to be waived under this subsection was ~~cancelled~~ **canceled** due to extraordinary circumstances.

(f) The department shall develop guidelines for school corporations to apply for a waiver under subsection (e).

SECTION 2. [EFFECTIVE JULY 1, 2002] **511 IAC 6.1-3-1(f) and 511 IAC 6.1-3-1(g) are void. The publisher of the Indiana Administrative Code and Indiana Register shall remove these subsections from the Indiana Administrative Code.**

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